

Commissioners of St. Mary's County Meeting Minutes (Tuesday, October 20, 2015)

Generated by Sharon Ferris on Thursday, October 22, 2015

Members present

Commissioner President James R. Guy
Commissioner Michael L. Hewitt
Commissioner Tom Jarboe
Commissioner Todd B. Morgan
Commissioner John E. O'Connor
Dr. Rebecca Bridgett, County Administrator
Sharon Ferris, Recorder

1. WELCOME

The meeting was called to order by Commissioner Jarboe, Vice President, at 9:00 am in the Chesapeake Building Meeting Room, Governmental Center. Commissioner President Guy arrived and assumed chairman duties.

Approval of Minutes

(1) I move to approve the minutes of October 6, 2015 as presented.

Motion by Commissioner Todd B, Morgan, second by Commissioner Michael L. Hewitt

Final Resolution: Motion Carries

Yea: Commissioners Hewitt, Jarboe, Morgan, O'Connor

Not Present at Vote: Commissioner Guy

(2) I move to approve the minutes of the October 14, 2015, Public Hearing on Code Home Rule as presented.

Motion by Commissioner Todd B Morgan, second by Commissioner Michael L Hewitt.

Final Resolution: Motion Carries

Yea: Commissioners Hewitt, Jarboe, Morgan, O'Connor

Not Present at Vote: Commissioner Guy

2. PROCLAMATIONS

Proclamation were presented for:

- A. RED RIBBON WEEK (Young Marines)
- B. RED RIBBON WEEK (County Agencies)
- C. DOMESTIC VIOLENCE AWARENESS MONTH

3. COUNTY ADMINISTRATOR

A. DRAFT AGENDAS for October 27 and November 3, 2015

B. BOARD OF EDUCATION - Title I Focus Grant Renewal

I move to approve the grant award for the Title I Focus Grant in the amount of \$240,000 for FY2016; increase the FY2016 Restricted Fund Revenue and Expenses in the amount of \$89,050; and approve the addition of two FTE certificated teachers, funded 100% by this grant; as approved by the Board of Education on October 14, 2015; and to sign the Letter to the Board of Education indicating approval of these actions.

Motion by Commissioner Michael L. Hewitt, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Hewitt, Jarboe, Morgan, O'Connor

Not Present at Vote: Commissioner Guy

C. DEPT. OF RECREATION AND PARKS - Budget Amendment to Reduce Capital Project #RP1603

Commissioner Jarboe suggested the Commissioners send a thank you letter to Mr. Don Cropp who helped on the Drayden Schoolhouse.

I move to approve the budget amendment reducing Recreation Facilities and Park Improvements Project #RP1603 in the amount of \$20,500, returning the funds to the FIN16 Capital Reserve, and authorize the Commissioner President to execute the related documents.

Motion by Commissioner Todd B. Morgan, second by Commissioner Tom Jarboe.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

D. DEPT. OF RECREATION AND PARKS - Program Open Space Conversion Application for Dorsey Park

I move to approve the Program Open Space Conversion Application for Dorsey Park, with the Great Mills Road Property as the replacement area, and authorize the Commissioner President to execute the related documents.

Motion by Commissioner Tom Jarboe, second by Commissioner John E. O'Connor.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

E. DEPT. OF PUBLIC WORKS & TRANSPORTATION - Confined Space Training Grant Award

I move to approve the Local Government Insurance Trust Training Grant Award, Project #OT1607, on behalf of the Department of Public Works & Transportation for OSHA Confined Space Awareness and Entry Training, and the related Budget Amendment to increase the project budget by \$5,000.

Motion by Commissioner John E. O'Connor, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

F. DEPT. OF PUBLIC WORKS & TRANSPORTATION - Emerald Hills Estates, Phase 4 Subdivision: Resolution to accept roadways into the County's Highway Maintenance System and Ordinance authorizing the posting of stop signs.

(1) I move to adopt the Resolution to accept Anita Court, and Colleen Place into the St. Mary's County Highway Maintenance System.

(2) I move to adopt the Ordinance setting a maximum speed and establishing stop intersections for Anita Court, and Colleen Place in the Emerald Hills Estates Phase 4 Subdivision.

Motion by Commissioner Todd B. Morgan, second by Commissioner John E. O'Connor.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

G. DEPT. OF ECONOMIC DEVELOPMENT - Tri-County Council Request for County Intention on Bidding on Agricultural Development Center

I move to approve the letter to the Tri-County Council stating that St. Mary's County will not be submitting a proposal in response to the RFP for the proposed Agricultural Development Center.

Motion by Commissioner Tom Jarboe, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

H. COUNTY ATTORNEY - Agreement

I move to authorize the Commissioner President to execute the Agreement in Case No. 531-2014-01802C.

Motion by Commissioner John E. O'Connor, second by Commissioner Michael L. Hewitt.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, O'Connor

Nay: Commissioners Jarboe, Morgan

I. FINANCE - Commissioner Approval to Award Contract for Airport Road Relocation & Taxiway 'A' Extension for the St. Mary's County Regional Airport & Budget Amendment for Grant award

Move to approve the award of the Contract for the Airport Road Relocation & Taxiway 'A' Extension for the St. Mary's County Regional Airport in the amount of \$2,672,159.00 to Sargent Corporation upon acceptable submission of Contract related documents and approve and execute the attached budget amendment in the amount of \$3,073,027 realigning the budget within the project based on the grant award.

Motion by Commissioner Todd B. Morgan, second by Commissioner Tom Jarboe.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

J. FINANCE - Resolution authorizing the 5-year financing of the vehicles approved in FY2016
I move that we approve and sign Resolution 2015-44 authorizing the 5-year financing agreement in the amount of \$3.2 million, with Banc of America Public Capital Corp. as recommended by the Finance Department, and authorize Commissioner President and appropriate staff to execute the necessary documents.

Motion by Commissioner John E. O'Connor, second by Commissioner Tom Jarboe.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

4. MAIN AGENDA ITEM #1

DEPT. OF LAND USE AND GROWTH MANAGEMENT - Resolution in support of Dahlgren JLUS

Present: Phil Shire, Director

The Dahlgren Joint Land Use Study which was started in 2013 is now complete. It addresses general compatibility issues with military/non-military. Our involvement is just on the Potomac side, so this will have minimal impact on us. The St. Mary's County Comprehensive Plan of 2010 does not address Dahlgren so we need to amend that.

"I move that the resolution in support of the Dahlgren JLUS be adopted."

Motion by Commissioner Todd B. Morgan, second by Commissioner Tom Jarboe.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

5. PUBLIC HEARING

DEPT. OF LAND USE AND GROWTH MANAGEMENT - Conduct public hearing to amend the CWSP water service category for St. Anne's Anglican Church in Charlotte Hall

Commissioner Guy opened the public hearing at 10:00 am.

Present: Phil Shire, Director

Dave Chapman, Capital Facilities Planner

Notice of Public Hearing was published in the Enterprise Newspaper on October 2 and 9, 2015. The property was posted and registered letters were sent to property owners in the area. The property lies within the Charlotte Hall Town Center. The property owner, St. Anne's Anglican Catholic Church, wants to build a Parish Hall on the property. The proposed amendment will change the water service category from W-6D (service in 6 to 10 years, developer financed) to W-3D (service in 3 to 5 years, developer financed). The proposed development would require the allocation of one EDU. The Planning Commission is recommending approval of the proposed amendment.

Commissioner Guy opened the meeting for public comment. There were no public comments. Commissioner Guy stated the record would be left open for 10 days to receive public comments on this matter and closed the public hearing at 10:09 am.

6. MAIN AGENDA ACTION ITEM #2

COUNTY ADMINISTRATOR - Non-Profit Funding Policy

Present: Rebecca Bolton Bridgett, Ed.D., County Administrator

Dr. Bridgett introduced the draft non-profit funding policy for FY 2017. She noted the Commissioners asked staff to work with the Vital Community Connectors (VCC) to develop a policy for funding non-profit agencies in the FY 2017 budget year. Dr. Bridgett and Jeannette Cudmore, Chief Financial Officer, met with the leadership of the VCC and the Non-profit Institute at College of Southern Maryland to review the draft policy and seek their input. The County will be using Governor's Office of Crime Control and Prevention (GOCCP) software this year during the annual budget process. Dr. Bridgett summarized decisions needed for the options available in the category and funding model. She then requested a public hearing to receive input from the community before the Commissioners make their final decision.

Commissioner Morgan noted a number of non-profits had approached him concerning using the GOCCP software. We should examine who gets money and why, but indicated he felt the department heads have enough on their plates so the money should not run through them. He asked that an evening public hearing be held to allow for more public participation.

Commissioner Jarboe noted the VCCs provide services we need, but sometimes we do not know what the return on investment is. One reason to have departments involved is to take a hard look at the services that are being provided.

Commissioner O'Connor indicated having the department heads tracking accountability of non-profits is a good idea. He suggested having two public hearings, one in the morning and one at night.

Commissioner Hewitt said it's about time we bring other non-profits on board. He indicated he is in favor of department heads being the ones who look at the VCCs. He noted he would like to see some money set aside to allow and encourage new groups, those with new ideas to come forward and present them to us.

Commissioner Guy said he would like to see the non-profits funded through the departments.

I move to schedule the Non-Profit Funding Policy for Public Hearing.

Motion by Commissioner John E. O'Connor, second by Commissioner Michael L. Hewitt.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

7. COMMISSIONER'S TIME

The Commissioners highlighted events attended over the past week and provided general comments.

Commissioner Hewitt noted the Commissioners are working with Ben Grumbles, MD Secretary of Environment, to resolve the issue of the failing septic systems at St. Clements Shores. We are requesting a five-year permit to relax the fines to METCOM while they are working on a plan to resolve the issue. He then commented on a Letter to the Editor concerning Homestead Tax which is capped at 5%. I know 5% is hard for the elderly and the less fortunate and I support going from 5% to 3%, but first we need to understand that the cost could go up to \$900,000 per point, but I'm a proponent to reduce taxes.

Commissioner Jarboe noted that he, Commissioner Guy, Dr. Bridgett, and our development team will be going to Huntsville, Alabama today to learn the best practices they have used during the BRAC era. We will be heading up a trade delegation consisting of business leaders and developers to look at small community growth and smart growth.

Commissioner O'Connor stated he feels people were misinformed about the Navy Museum in a recent Newspaper article and rumors going around. He noted donations were being collected to build a memorial to Trooper 2 which crashed a few years ago and was hoping other Commissioners will consider donation to the Trooper 2 memorial. He said there is a link on his Facebook page for anyone wanting to donate. He suggested that the County's Ethics Ordinance is not stringent enough and should be looked at closely. He has looked at model legislation from other counties and jurisdictions and feels the County's is a little loose. You need to take accountability for your actions. Need to be transparent don't want people thinking you are doing some behind the scene deals.

Commissioner Morgan commented that the fatal accident last week on 235 that brought traffic to a stop helps remind him to continue his push for FDR Blvd. Electronic signage is an issue. This is a new era than when the ordinance was adopted. He noted he talked to Mr. Sparling and Mr. Shire and knows that letters were sent to individuals saying they were going to be penalized, but he wants individuals who received those letters to know that we are going to table that for now and readdress electronic signs. No penalties will be assessed at this time.

MOTION TO ENTER INTO EXECUTIVE SESSION

I move to enter into Executive Session for the purpose of discussing land acquisition and personnel items.

Motion by Commissioner John E. O'Connor, second by Commissioner Michael L. Hewitt.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

8. EXECUTIVE SESSION

Real Property Acquisition

Present: Commissioner James R. Guy, President
Commissioner Michael L. Hewitt
Commissioner Tom Jarboe
Commissioner Todd B. Morgan
Commissioner John E. O'Connor
Rebecca Bolton Bridgett, Ed.D., County Administrator
Brian Loewe, Director, Dept. of Recreation and Parks
George Sparling, County Attorney
Donna Gebicke, Administrative Assistant

Authority: Local Government Article Section 9-512(a)(2)
Time Held: 11:05 am – 11:16 am
Subject: Real Property

Personnel

Present: Commissioner James R. Guy, President
Commissioner Michael L. Hewitt
Commissioner Tom Jarboe
Commissioner Todd B. Morgan
Commissioner John E. O'Connor
Rebecca Bolton Bridgett, Ed.D., County Administrator
June Robrecht, Deputy Director, Human Resources Dept.
George Sparling, County Attorney
Donna Gebicke, Administrative Assistant

Authority: Local Government Article Section 9-512(a)(2)
Time Held: 10:54 am – 11:03 am
Subject: Litigation

MOTION IN OPEN SESSION

I move to direct staff to forward the list of applicants for the position of St. Mary's County Supervisor of Assessments to the State Director of Assessments and Taxation.

Motion by Commissioner Todd B. Morgan, second by Commissioner John E. O'Connor.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

9. LUNCH/RECESS

10. PRESENTATION

MD DEPT. OF TRANSPORTATION SECRETARY PETE K. RAHN - Annual Capital Program Tour for the Draft FY 2016-2021 Consolidated Transportation Program

Commissioners

Commissioner Michael L. Hewitt
Commissioner John E. O'Connor
Commissioner Todd B. Morgan

St. Mary's County Delegation

Senator Steve Waugh
Delegate Anthony O'Donnell
Delegate Matt Morgan
Delegate Deborah Rey

Leonardtown

Dan Burris, Mayor
Leslie Roberts, Leonardtown Council Member

Present: Secretary Pete Kahn, MDOT

Gregg Slater, SHA
Tim Smith, District Engineer
Beth Cryer, MTA
Christine Nizer, MVA
Steve Solanski, MAA

Secretary Kahn stated the goals of his department, provided an overview of the Consolidated Transportation Program for FY-2016 to FY2021, and outlined accomplishments to-date and future plans. He noted the Governor is committed to roads and bridges in the state and plans to restore the Highway User Revenue to 30% over the next 8 years. Thirty million dollars has been allocated to repave roads in St. Mary's County during the summer of 2016. He outlined items in the CTP pertaining to the County

- Intersection improvements at MD 5 (Point Lookout Rd) at Moakley Street and Abell Street
- Upgrade and widen MD 5 to provide shoulders from south of Camp Brown to the Ranger Station at Point Look;
- MD 5, Point Lookout Rd replace the bridge over Eastern Branch
- MD 4, Patuxent Beach Rd and Solomons Island Road, study to upgrade MD 4 between MD 2 and MD 235, including the Thomas Johnson Bridge and the intersection at MD 235
- Study to upgrade MD 5 between 243 and 245; MD5 Point Lookout Road
- Design of intersection, bridge, and drainage improvements along MD 5 at MD 246 and MD 471.

Following his presentation, Secretary Kahn asked to hear the concerns of the County and noted he had staff taking notes in case there were any questions that his staff could not answer today. Listed below are comments and areas of concerns presented.

Commissioner Hewitt

- Thomas Johnson Bridge is the number one top priority
- Want clarity on Thomas Johnson Bridge – you say three phases; what is the order of the phases?
- Intersection Rt, 246 and Rt.5.
- Intersection Rt. 245 and Rt.5.
- Leonard’s Grant on 245. Citizens requesting stop light. We have a school there and planning for a senior center and library at the same location
- Requested repaving of Rt. 235 to be done at night to alleviate traffic congestion as people are trying to get to work
- Safety issue - requested all intersections in the County be checked for lane markings. Identified 2 specific intersections Rt. 235/Rt.245 and Rt.235/Rt. 246
- Intersection of Rt.5 and 245 crosswalk – not timed properly does not allow enough time for people to walk across street

Commissioner O’Connor

- Consider stoplight on 245 at Leonard’s Grant – lowering speed won’t necessarily bring people into compliance. (*Response: State has lowered speed limit at SMECO entrance from 55 to 40 until you get to Macintosh Rd.*)
- Rt. 5 north of Rt. 6 to the County line – need to look at low cost traffic flow control especially in the area of the Farmers Market.
- You stated St. Mary’s County had 845 people injured and 11 fatalities from traffic accidents. Can you provide the type of injuries and where accidents occurred? (*Response: Yes, staff will provide.*)
- Need school zone/speed zone at Mechanicsville School. – requested a traffic study be done. Parents and teachers are complaining traffic is coming down Rt. 235 so fast it is hard to get out of parking lot.

Commissioner Morgan

- Thomas Johnson Bridge top priority.
- Woodland Acres needs immediate attention
- Rt.5 at Rt. 246 needs resolution
- County just approved more funds this morning to move the utilities for the airport project.

Senator Waugh

- Warrant triggers – Are they sharable with the public? (*Response: Yes, we will provide.*)

- Asked the status of Potomac Bridge? (*Response: Nothing has changed, funding not in place.*)

Delegate O'Donnell

- Thomas Johnson Bridge is important not just to us as a region but the state and the nation. Have national defense with NAVAIR on this side of bridge and Calvert Cliffs and Cove Point on Calvert side.
- Woodland acres – small subdivision would like you to expedite alternative access. If you have full commitment for funding why haven't you set a timetable for completion? What is the hold up? (*Response: Tim Smith will look into and respond next week.*)
- Walter Francis Duke Airport very important to the County – UMD research and development center being located here.
- Harry Nice Bridge – Why have tolls not been lowered? (*Response: Cash tolls will not be lowered - EZ-Pass was lowered.*)
- Rue Purchase Rd/Buck Hewitt Rd - need intersection fixed. Lexington Park Rescue squad has difficulty making turn to go north.
- Highway User Revenues very important to us.

Delegate Morgan

- Did you say eventually Highway User Revenues will come back to the counties to let the counties take care of priorities? (*Response: Yes*)
- Working with your people to redesign the four-way stop at Clements – customer service has been great
- Project at Moakley St.- when will we see something on that? (*Response: Breakout should begin in 2018 - probably 2 year project.*)

Delegate Rey

- Pegg Road and Rt.235 need crosswalk at the light - no way to walk across to Naval Air Museum.
- Buck Hewitt Rd. and Rt. 235– Would like to see four-way stop sign, but if not, we need curb redesigned to allow more room for ambulances heading north.
- Camp Brown Rd. to Ranger station – want to make sure when you widen road you will use state land where available rather than property owners. (*Response: Yes we should and we will check into that.*)

Dan Burris, Mayor of Leonardtown

- Moakley/Abell Project - Want to clarify when you speak of breakout project at Moakley/Abell St., my understanding is you are planning on continuing that to the hospital. (*Response: Yes*)

- Want clarification on Moakley/Abell - for the total Rt.5 project the vehicle traffic count is currently 30,000 with 50,000 projected, but the handout you gave for the breakout project shows 26,000 currently and 32,000 projected. Shouldn't the breakout project count be the same as the entire Rt.5 project? (*Response: Yes, or around the same.*)

Leslie Roberts, Leonardtown Council Member

- Clarks Rest is getting a stop light and people from Leonard's Grant will be able to access it, so that should alleviate some of traffic concerns on 245.
- Suggested installing a part time light at the entrance of Leonard's Grant like the one at Leonardtown High School which works to let buses enter in the morning and depart in the evenings.

11. ADJOURN

Commissioner Hewitt asked if anyone in the audience had any questions they would like to ask, and with no response, he closed the meeting at 2:40 pm.

Minutes Approved by the Commissioners of St. Mary's County on _____

Sharon Ferris, Senior Administrative Coordinator